

10/826260

cdc



Docket No.: 026746.101-US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:
Craig A. Branch et al.

Patent No.: 7,071,692

Issued: July 4, 2006

For: RADIO FREQUENCY SHIELD FOR
NUCLEAR MAGNETIC RESONANCE
PROCEDURES

TRANSMITTAL LETTER

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
JAN 26 2007
of Correction

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent:

1. Request for Certificate of Correction Pursuant to 37 CFR 1.322;
2. Certificate of Correction;
3. Copy of the September 20, 2005 Office Action including the initialed and dated copy of the Form PTO/SB/08a/b citing U.S. Patent No. 5,735,278; and
4. Return receipt postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this patent by this firm) to our Deposit Account No. 50-0740, under Docket No. 026746.101-US03.

A duplicate copy of this paper is enclosed.

DC: 2405235-1

JAN 26 2007

It is not believed that extensions of time fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: January 24, 2007

Respectfully submitted,

By 

Paul J. Berman

Registration No.: 36,744

COVINGTON & BURLING LLP

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorney for Applicant

JAN 26 2007



Docket No.: 026746.101-US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:
Craig A. Branch et al.

Patent No.: 7,071,692

Issued: July 4, 2006

For: RADIO FREQUENCY SHIELD FOR
NUCLEAR MAGNETIC RESONANCE
PROCEDURES

TRANSMITTAL LETTER

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced
Patent:

1. Request for Certificate of Correction Pursuant to 37 CFR 1.322;
2. Certificate of Correction;
3. Copy of the September 20, 2005 Office Action including the initialed and dated copy of the Form PTO/SB/08a/b citing U.S. Patent No. 5,735,278; and
4. Return receipt postcard.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this patent by this firm) to our Deposit Account No. 50-0740, under Docket No. 026746.101-US03.

A duplicate copy of this paper is enclosed.

DC: 2405235-1

JAN 26 2007

It is not believed that extensions of time fees are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 50-0740.

Dated: January 24, 2007

Respectfully submitted,

By 

Paul J. Berman

Registration No.: 36,744

COVINGTON & BURLING LLP

1201 Pennsylvania Avenue, N.W.

Washington, DC 20004-2401

(202) 662-6000

Attorney for Applicant

JAN 26 2007



Docket No.: 026746.101-US03
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:
Craig A. Branch et al.

Patent No.: 7,071,692

Issued: July 4, 2006

For: RADIO FREQUENCY SHIELD FOR
NUCLEAR MAGNETIC RESONANCE
PROCEDURES

**REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 37 CFR 1.322**

Attention: Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Upon reviewing the above-identified patent, Patentee noted an omission of a cited U.S. patent in the section under References Cited which should be corrected.

U.S. Patent No. 5,735,278, issued April 7, 1998 to Hoult et al. was cited in an Information Disclosure Statement originally filed on May 23, 2005, along with a Request Continued Examination (RCE), and an Amendment.

At the request of Examiner Brij Shrivastav, the Form PTO/SB/08a/b, the RCE, Amendment and Second Supplemental IDS were faxed to the USPTO on September 8, 2005 and re-faxed to Examiner Shrivastav on September 16, 2005. The 5,735,278 was initialed by the Examiner and a copy of the PTO/SB/08a/b was attached to the Office Action issued by the Examiner on September 20, 2005. A copy of September 20, 2005 Office Action and the initialed citation are attached to support this information.

JAN 26 2007

The error was not in the application as filed by applicant; accordingly no fee is required.

Transmitted herewith is a proposed Certificate of Correction effecting such amendment. Patentee respectfully solicits the granting of the requested Certificate of Correction.

Dated: January 24, 2007

Respectfully submitted,

By 

Paul J. Berman

Registration No.: 36,744
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
(202) 662-6000
Attorney for Applicant

JAN 26 2007

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,071,692
APPLICATION NO. : 10/826,260
ISSUE DATE : July 4, 2006
INVENTOR(S) : Craig A. Branch et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the face of the patent, under the section References Cited, please add the following omitted U.S. Patent Document:

5,735,278 4/1998 Hoult et al.128/653.2.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Paul J. Berman
COVINGTON & BURLING LLP
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401

1

JAN 26 2007



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,260	04/19/2004	Craig A. Branch	026746.101-US03	9421

26853 7590 09/20/2005

COVINGTON & BURLING
ATTN: PATENT DOCKETING
1201 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, DC 20004-2401

EXAMINER

SHRIVASTAV, BRIJ B

ART UNIT	PAPER NUMBER
----------	--------------

2859

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

JAN 26 2007

Office Action Summary

Application No.

10/826,260

Examiner

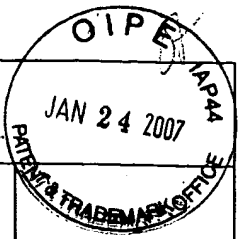
Brij B. Shrivastav

Applicant(s)

BRANCH ET AL

Art Unit

2859



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE dated May 23, 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/19/04, 6/7/04, 2.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

JAN 26 2007



Application/Control Number: 10/826,260
Art Unit: 2859

Page 2

DETAILED ACTION

1. Claim 1 is objected, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the use of the word "holder" in claim 1 does not tell what it holds, makes the claim indefinite. Applicant should clarify whether the holder is a patient support table to hold the patient or the holder is to hold the table or the holder is to hold one of the RF shields in proper position.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Hoult et al (US 5,735,278).

As regards to claim 1, Hoult et al teach an apparatus for use in RF shielding, including a holder with RF shielding and configured for joining a magnet (figures 4 & 8, numerals 14, 44 and 72; column 9 and 10, lines 59-67 and 1-15). The magnet comprising magnet-RF-shielding, such that when the holder is adjoined to the magnet, the RF shielding and the magnet-RF-shielding form a substantially complete RF shield (figures 4 & 8, numerals 71 and 72; column 5, lines 43-50, column 10, lines 16-65).

As regards to claims 2-6, Hoult et al further teach a holder with an aperture, a patient support unit, a support for supporting the patient support unit, a magnet

Art Unit: 2859

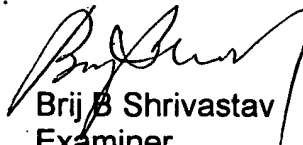
attachable holder which is attachable to the patient support unit (figures 7 & 8, numerals 14, 34, 35, 44, 72).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brij B. Shrivastav whose telephone number is 571-272-2250. The examiner can normally be reached on 7 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F. F. Gutierrez can be reached on 571-272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

September 16, 2005


Brij B Shrivastav
Examiner
Art Unit 2859

JAN 26 2007



4-19-04

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	Divisional of 09/985,474
				Filing Date	April 19, 2004
				First Named Inventor	Craig A. Branch
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	026746.101-US03

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
B	AA	US-4,995,335	02-26-1991	Wright	
	AB	US-5,383,425	01-24-1995	Bleacher	
	AC	US-5,388,580	02-14-1995	Sullivan et al.	
	AD	US-5,738,045	04-14-1998	Bleacher	
	AE	US-6,138,302	10-31-2000	Sashin et al.	
B	AF	US-6,275,723	08-14-2001	Ferris et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ² -Number ⁴ -Kind Code ⁵ (if known)				

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

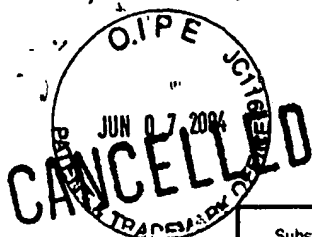
NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

JAN 26 2007

Examiner Signature		Date Considered	9/16/05
-----------------------	--	--------------------	---------



PTO/SB/08a/b (08-03)
Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/826,260
				Filing Date	April 19, 2004
				First Named Inventor	Craig A. Branch
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	026746.101-US03

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Filing Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
<input checked="" type="checkbox"/> A	AA	US-10/826,321	04-19-2004	Craig A. Branch, et al.	
<input checked="" type="checkbox"/> B	AB	US-10/826,297	04-19-2004	Craig A. Branch, et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	†
		Country Code ² -Number ³ -Kind Code ⁴ (if known)	MM-DD-YYYY			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	† ²

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	9/16/05
-----------------------	--	--------------------	---------

JAN 26 2007

5/23/05

PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0861-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete If Known		
			Application Number	10/826,260-Conf. #9421	
			Filing Date	April 19, 2004	
			First Named Inventor	Craig A. Branch	
			Art Unit	2859	
			Examiner Name	B. B. Shrivastav	
			Attorney Docket Number	026746.101-US03	
Sheet	1	of	1		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-5,735,278	04-07-1998	Hoult et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ¹ - Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinda Codes of USPTO Patent Documents at www.uspto.gov or MPEP 801.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.15 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazines, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ³

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ³ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	<i>[Signature]</i>	Date Considered	9/16/05
--------------------	--------------------	-----------------	---------

JAN 26 2007

9/16/05

Notice of References CitedApplication/Control No.
10/826,260
Examiner
Brij B. ShrivastavaApplicant(s)/Patent Under
Reexamination
BRANCH ET AL.Art Unit
2859

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,613,820	09-1986	Edelstein et al.	324/318
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

JAN 26 2007